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7 Attorneys for Defendants

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA, SOUTHERN DIVISION

10 \*\*\*\*\*

11 TIMOTHY LOW,  
12 Plaintiff,

13 v.

14 JASPAL SINGH, individually; GOLDEN  
EXPRESS, LLC, A Washington Limited  
15 Liability Company; DOES I through X,  
inclusive; and ROE CORPORATIONS I  
16 through X, inclusive,

17 Defendants.

Case No. 2:17-cv-1398

District Court Case No. A-17-752706-C

**NOTICE OF REMOVAL OF ACTION BY  
DEFENDANTS PURSUANT TO 28 U.S.C.  
§1332 AND 28 U.S.C. §1441(b)**

18  
19 TO: THE CLERK OF THE COURT; ALL PARTIES AND THEIR ATTORNEYS OF  
20 RECORD:

21 PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 1441, Defendants, JASPAL SINGH  
22 and GOLDEN EXPRESS, LLC, by and through their counsel of record, McCORMICK, BARSTOW,  
23 SHEPPARD, WAYTE & CARRUTH, LLP, hereby gives notice of removal of the above-entitled  
24 action from the Eighth Judicial District Court of Clark County, Nevada, Case No. A-17-752706-C, to  
25 the United States District Court for the District of Nevada and further states as follows:

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27 ///

28 ///

1 **STATEMENT OF JURISDICTION**

2 This Court has original jurisdiction under 28 U.S.C. § 1332 based on diversity of citizenship  
3 and removal is therefore proper under 28 U.S.C. § 1441(b) as there is complete diversity between the  
4 parties and the matter in controversy exceeds \$75,000.00.

5 **THE REMOVED CASE**

6 The removed case is a civil action and was originally filed on March 20, 2017 in the Eighth  
7 Judicial District Court of Nevada, Clark County, having been assigned Civil Case No. A-17-752706-  
8 C, captioned: "*Timothy Low, Plaintiff, v. Jaspal Singh, Golden Express, LLC; DOES I through X; and*  
9 *ROE CORPORATIONS I through X, Defendants.*" A copy of Plaintiff's Complaint is attached hereto  
10 as Exhibit "A." Plaintiff alleges in the removed case that he was in an automobile accident and  
11 sustained significant painful bodily injuries. Plaintiff alleges that he is entitled to damages from  
12 Defendants in an amount in excess of \$15,000.

13 As required by 28 U.S.C. § 1446(a), a copy of all process JASPAL SINGH and GOLDEN  
14 EXPRESS, LLC received and pleadings and orders served upon DEFENDANTS in the removed case  
15 are attached as Exhibit "B"<sup>1</sup>

16 **REMOVAL IS TIMELY**

17 This action was commenced on March 20, 2017. The Summons and Complaint was served  
18 upon the Registered Agent, on behalf of Defendant GOLDEN EXPRESS on April 22, 2017. No other  
19 service has been effectuated. Thus, this removal is within 30 days of receipt of the Summons and  
20 Complaint by Defendant GOLDEN EXPRESS.

21 **VENUE REQUIREMENT IS MET**

22 Venue is proper under 28 U.S.C. § 1441(a) because this Court is the United States Court of the  
23 District and Division embracing the place where the State Court action is pending.

24 **DIVERSITY OF CITIZENSHIP EXISTS**

25 This is a civil action that falls under the Court's original jurisdiction under 28 U.S.C. § 1332  
26 (diversity of citizenship) and is one that may be removed to this Court based upon diversity of

27 <sup>1</sup> As of the time of this filing, only Defendant Golden Express has been served; however, we have been informed that  
28 Plaintiff will be serving Defendant Singh in the coming days.

1 citizenship pursuant to 28 U.S.C. §§ 1441 and 1446. Plaintiff alleges he is a resident of County of  
2 Clark, State of Nevada. Defendant, GOLDEN EXPRESS, LLC, is a Washington Limited Liability  
3 Company with its principal place of business in Washington, and was doing business in the State of  
4 Nevada. Defendant JASPAL SINGH is a resident of the State of Washington.

5 **THE AMOUNT IN CONTROVERSY**

6 In this action, Plaintiff alleges that Defendants caused a motor vehicle accident resulting in  
7 significant bodily injury. On or about Monday, April 24, 2017, counsel for Defendants spoke with  
8 Plaintiff's counsel who explained that his client had more than \$100,000 in expenses from medical  
9 treatment and was continuing to treat. *See, Declaration of Dylan P. Todd in Support of Notice of*  
10 *Removal*, filed concurrently herewith. Plaintiff's current medical expenses exceed the \$75,000  
11 threshold of 28 U.S.C. § 1441(b).

12 **FILING REMOVAL PAPERS**

13 Pursuant to 28 U.S.C. § 1446(d), written notice of the removal of this action has been provided  
14 simultaneously to Plaintiff. A copy of this Notice of Removal will be filed with the Clerk of the  
15 Eighth Judicial District Court of Clark County, Nevada.

16 WHEREFORE, Defendants, hereby remove the above-captioned action from the Eighth  
17 Judicial District Court of Clark County, Nevada and request that further proceedings be conducted in  
18 this Court as provided by law.

19 DATED this 16 day of May, 2017

20 McCORMICK, BARSTOW, SHEPPARD,  
21 WAYTE & CARRUTH LLP

22 By 

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28 Attorneys for Defendants

71997-00025 4487943.1

**CERTIFICATE OF SERVICE**

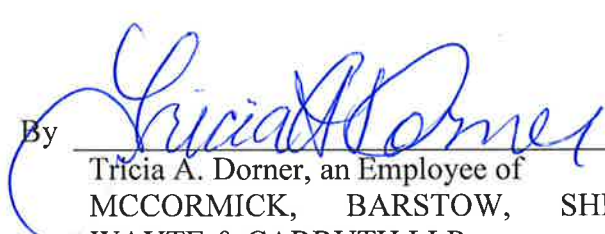
I hereby certify that on this 16<sup>th</sup> day of May, 2017, a true and correct copy of **NOTICE OF REMOVAL OF ACTION BY DEFENDANTS PURSUANT TO 28 U.S.C. §1332 AND 28 U.S.C. §1441(b)** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

**SERVICE LIST**  
**Low v. Singh-Golden Express**  
**A-17-752706-C**

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By

  
Tricia A. Dorner, an Employee of  
MCCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP